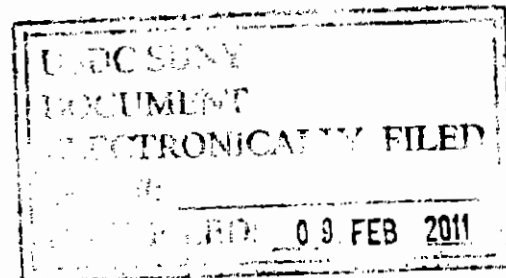


Cindy and Avram Cimerring
3145 Coney Island Avenue
Brooklyn, New York 11235

February 7, 2011



BY HAND

The Honorable Laura Taylor Swain
United State District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

MEMO ENDORSED

Re: Cimerring, et al. v. Merrill Lynch Mortgage
Investors, Inc. et al., Index No. 10 CV 9402 (LTS)

Dear Judge Swain:

After review of your January 25, 2011 Order requesting that Plaintiff "file and serve a Supplement to the Complaint containing allegations sufficient to demonstrate a basis for subject matter jurisdiction," we have decided to seek and request that you grant a voluntary withdrawal of the above referenced action in its entirety, rather than continuing to litigate the matter in its current form. We appreciate Your Honor's attention in this matter.

Respectfully submitted,

/s/ Cindy Cimerring
/s/ Avram Cimerring
Cindy and Avram Cimerring

*The case is dismissed pursuant to
FRCP 41(a)(2), without prejudice. The
Clerk of Court is requested to close this case.*

SO ORDERED.

NEW YORK, NY *[Signature]*
LAURA TAYLOR SWAIN
FEB 9 2011 UNITED STATES DISTRICT JUDGE

*Copies mailed to Plaintiff's
Chambers of Judge Swain 2-9-11*